

NP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,299	02/06/2001	Bruce L. Warden	WARB10A	5706

7590 04/04/2002
RICHARD L. MILLER
12 Parkside Drive
Dix Hills, NY 11746-4879

EXAMINER

HSIEH, SHIH YUNG

ART UNIT	PAPER NUMBER
----------	--------------


2837

DATE MAILED: 04/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

25

Office Action Summary

Application No. 09/777,299		Applicant(s) Warden	
Examiner Shih-yung Hsieh		Art Unit 2837	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-13 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-3 is/are rejected.

7) ☒ Claim(s) 4-13 is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on Feb 6, 2001 is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 5, 6

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

Art Unit: 2837

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the isosceles-triangular-shaped throughslot must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. Claim 10 is objected to because of the following informalities: the term "the neck leg 20" lacks antecedent basis. Claim 1 use "neck", consistent terms should be used. Appropriate correction is required.
3. Claim 12 is objected to because of the following informalities: the term "isosceles-triangular-shaped" is not supported in the specification. Appropriate correction is required.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Mechem et al. (4,993,127).

Art Unit: 2837

Mechem et al. disclose a device for preventing unintentional removal of a slot in an end of a guitar strap peg, wherein the peg has a neck (24S) that extends from the guitar to an end and has a contour and a thickness (Fig. 5), and a head (24H) that extends radially outwardly from the end of the neck, said device comprising a body (17) for positioning on the guitar peg of the guitar.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mechem et al. in view of Streetlock (applicant's IDS).

Regarding claim 2, Mechem et al. disclose the claimed invention except said body being disk-shaped.

Streetlock teaches a disk-shaped body for providing a guitar strap lock. It would have been obvious to one having ordinary skill in the art to modify Mechem et al.'s device as taught by Streetlock to include a disk-shaped body for the purpose of providing a guitar strap lock.

Regarding claim 3, Mechem et al. disclose the claimed invention including said body having a center and a periphery except that a first surface that is circular-shaped and is for abutting against the head of the peg; and a second surface that is circular-shaped, disposed

Art Unit: 2837

oppositely to said first surface, and is for abutting against, and overpassing, the slot in the end of the guitar strap.

Streetlock teaches the body of the device having a center and a periphery, a first surface that is circular-shaped and is for abutting against the head of the peg; and a second surface that is circular-shaped, disposed oppositely to said first surface, and is for abutting against, and overpassing, the slot in the end of the guitar strap. It would have been obvious to one having ordinary skill in the art to modify Mechem et al's device as taught by Streetlock to include the device body having a center and a periphery, a first surface that is circular-shaped and is for abutting against the head of the peg; and a second surface that is circular-shaped, disposed oppositely to said first surface, and is for abutting against, and overpassing, the slot in the end of the guitar strap for the purpose of providing a guitar strap lock.


8. Claims 4-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The claims are allowable over the prior art for at least the reason that the prior art fails to reasonably teach or suggest in claim 4 that the body of said device has a throughbore that is circular-shaped, has a diameter and a perimeter, and a chord with a length and ends that intersect said perimeter of said throughbore in said body, and in claim 10 that said perimeter of said

Art Unit: 2837

throughbore in said body is slightly beveled completely therearound on said first surface of said body for conforming to the contour of the neck of the peg as set forth in the claimed combination.

10. Any inquiry concerning this communication should be directed to (David) S.Y. Hsieh at telephone number (703) 308-1031.


SHIH-YUNG HSIEH
PRIMARY EXAMINER